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S/N 10/547,535

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KITAKA, et al.	Examiner:	A. Ullah
Serial No.:	10/547,535	Group Art Unit:	2874
Filed:	August 31, 2005	Docket No.:	10873.1764USWO
Title:	WAVEGUIDE ELEMENT USING PHOTONIC CRYSTAL		

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark office on July 14, 2006.

By:   
Name: Chieko Rogers

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

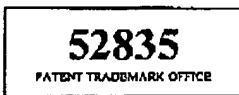
Dear Sir:

Petitioner, Nippon Sheet Glass Company, Limited, the owner of the entire right, title and interest in the present application and U.S. Patent Application Serial No. 10/547,828, through the undersigned attorney of record, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term of any patent granted on U.S. Patent Application Serial No. 10/547,828 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on U.S. Patent Application Serial No. 10/547,828, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of any patent granted on U.S. Patent Application Serial No. 10/547,828 in the event that such patent: expires for failure to pay a maintenance fee,

is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

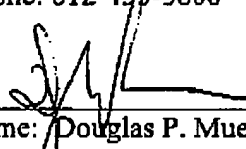
Please charge Deposit Account No. 50-3478 in the amount of \$130.00 for the statutory disclaimer fee.



Date: July 14, 2006

Respectfully submitted,

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